

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE: ) BANKRUPTCY CASE  
)  
IRENE A. OSORIO SIMONENKO, ) NO.: 19-29854  
)  
Debtor, ) CHAPTER 13  
)  
) JUDGE: JANET S. BAER

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Now comes Lakeview Loan Servicing, LLC, by and through its attorneys, McCalla Raymer Leibert Pierce, LLC, and requests that Confirmation be denied, stating as follows:

1. On October 21, 2019, the Debtor filed the instant bankruptcy petition under Chapter 13 of the Bankruptcy Code (11 U.S.C. Sec. 1301 et seq.)
2. Lakeview Loan Servicing, LLC services the mortgage lien on the real property commonly known as 656 Fenwick Lane, South Elgin, IL 60177.
3. Lakeview Loan Servicing, LLC filed Claim #12, which is secured by an interest in the real property commonly known as 656 Fenwick Lane, South Elgin, IL 60177.
4. The proof of claim that Lakeview Loan Servicing, LLC filed included a pre-petition arrearage in the amount of \$4,750.10.
5. However, Part 3.1 of the Debtor's Plan proposes to pay Lakeview Loan Servicing, LLC \$0.00 for pre-petition arrears, which contravenes its rights under 11 U.S.C §1322(b)(2) and/or §1322(b)(5).
6. Additionally, given that the arrears are higher than provided for in the plan, the plan raises feasibility issues.

7. A Proof of Claim is “deemed allowed unless a party in interest objects” to it. 11

U.S.C. §502.

8. No party in interest has filed an Objection to the Proof of Claim filed by Lakeview Loan Servicing.

9. Therefore, sufficient grounds exist for the denial of confirmation as Debtor’s plan is unfeasible and fails to cure the pre-petition arrears due to Lakeview Loan Servicing.

WHEREFORE, Lakeview Loan Servicing, LLC respectfully prays that Confirmation of the Debtor's Chapter 13 Plan be denied, and for such other and further relief as this Honorable Court deems just.

Respectfully Submitted,

Lakeview Loan Servicing, LLC

/s/Kinnera Bhoopal

Kinnera Bhoopal

ARDC# 6295897 cc

McCalla Raymer Leibert Pierce, LLC

1 N. Dearborn Suite 1200

Chicago, IL 60602

(312) 346-9088